

HOUSE BILL 453

L2, K3

0lr1274

By: **Washington County Delegation**

Introduced and read first time: January 29, 2010

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Emergency Communications Center – Polygraph**
3 **Examinations**

4 FOR the purpose of exempting from the prohibition against an employer requiring or
5 demanding, as a condition of employment, that an individual submit to or take a
6 lie detector or similar test, individuals who apply for employment with the
7 Washington County Emergency Communications Center; and generally relating
8 to the Washington County Emergency Communications Center.

9 BY repealing and reenacting, without amendments,
10 Article – Labor and Employment
11 Section 3–702(a) and (c)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2009 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 3–702(b)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Labor and Employment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 3–702.

2 (a) In this section, “employer” means:

3 (1) a person engaged in a business, industry, profession, trade, or
4 other enterprise in the State;

5 (2) the State;

6 (3) a county; and

7 (4) a municipal corporation in the State.

8 (b) (1) This section does not apply to the federal government or any of its
9 units.

10 (2) This section does not apply to an individual who is an employee of
11 or applies for assignment to the Internal Investigative Unit of the Department of
12 Public Safety and Correctional Services.

13 (3) This section does not apply to an individual who applies for
14 employment or is employed:

15 (i) as a law enforcement officer, as defined in § 3–101 of the
16 Public Safety Article;

17 (ii) as an employee of a law enforcement agency of the State, a
18 county, or a municipal corporation;

19 (iii) as a communications officer of the Calvert County Control
20 Center;

21 (iv) as a correctional officer of the Calvert County Detention
22 Center or in any other capacity that involves direct personal contact with an inmate in
23 the Detention Center;

24 (v) as a correctional officer of the Washington County Detention
25 Center or in any other capacity that involves direct personal contact with an inmate in
26 the Center; or

27 (vi) as a correctional officer of:

28 1. the Baltimore City Jail;

29 2. the Baltimore County Detention Center;

- 1 3. the Cecil County Detention Center;
- 2 4. the Charles County Detention Center;
- 3 5. the Frederick County Adult Detention Center;
- 4 6. the Harford County Detention Center; or
- 5 7. the St. Mary’s County Detention Center.

6 (4) This section does not apply to an applicant for employment as a
7 correctional officer with the Department of Corrections for Prince George’s County.

8 (5) This section does not apply to an applicant for employment with
9 either the Anne Arundel County Department of Detention Facilities or the Caroline
10 County Department of Corrections:

11 (i) as a correctional officer; or

12 (ii) in any other capacity that involves direct contact with an
13 inmate in either the Anne Arundel County Department of Detention Facilities or the
14 Caroline County Department of Corrections.

15 **(6) THIS SECTION DOES NOT APPLY TO AN APPLICANT FOR**
16 **EMPLOYMENT WITH THE WASHINGTON COUNTY EMERGENCY**
17 **COMMUNICATIONS CENTER.**

18 (c) An employer may not require or demand, as a condition of employment,
19 prospective employment, or continued employment, that an individual submit to or
20 take a lie detector or similar test.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.